

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 30, 2000
SAN FRANCISCO, CALIFORNIA**

S089400 People, Respondent
2nd Dist. v.
B132643 Jose Luis Martinez, Appellant
Div. 7 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Garcia*, S081934 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S089554 People, Respondent
4th Dist. v.
D031387 Jose M. Alvarez, Appellant
Div. 1 Petition for review GRANTED.

George, C.J.
Baxter, J.
Chin, J.
Brown, J.

S089701 Ilse Reed, Appellant
2nd Dist. v.
B126456 Pacificare of California et al., Respondents
Div. 5 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *McCall v. Pacificare of California*, S082236 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S020161 People, Respondent
v.
Tauno Waidla, Appellant

On representation by counsel for appellant that he will timely submit to the United States Supreme Court a petition for writ of certiorari seeking review of this court's decision herein, appellant's 'Application for Stay of Execution of Sentence of Death Until Final Disposition of Petition for Writ of Certiorari' is granted.

Execution of the sentence of death entered against appellant, Tauno Waidla, by the Los Angeles County Superior Court, and affirmed by this court on April 6, 2000, at 22 Cal.4th 690, is hereby stayed pending final determination by the United States Supreme Court of the intended petition for writ of certiorari and any matter arising therefrom. If such a petition is not submitted within the time prescribed, this stay will terminate when the time for its submission has expired.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S012568 People, Respondent

v.

Philip Louis Lucero, Appellant

Petition for rehearing DENIED.

Opinion modified.

Mosk, J., is of the opinion the petition should be granted.

S045495 In re Wilbur Jennings

on

Habeas Corpus

The petition for writ of habeas corpus, filed March 20, 1995, is denied. All claims, including all subclaims, are denied on the merits.

Except where framed as allegations of ineffective assistance of counsel, and insofar as based exclusively on the appellate record, the following claims or subclaims are denied because they were raised and rejected on appeal (see *In re Harris* (1993) 5 Cal.4th 813, 824-841 (*Harris*); *In re Waltreus* (1965) 62 Cal.2d 218, 225): Claims 1 (change of venue), 24 (failure to comply with Penal Code section 190.3 notice requirements), 29 (allegedly erroneous jury instructions at the penalty phase) (excessive multiple-murder subclaim only).

Except where framed as allegations of ineffective assistance of counsel, and insofar as based exclusively on the appellate record, the following claims or subclaims are denied because they could have been, but were not, raised on appeal (*Harris, supra*, 5 Cal.4th 813, 825, fn. 3; *In re Dixon* (1953) 41 Cal.2d 756): Claims 14 (alleged prosecutorial misconduct) (intentional eliciting of inadmissible evidence subclaim only), 23 (use of allegedly improper guilt phase instructions), 29 (allegedly erroneous jury instructions at the penalty phase) (except subclaim regarding excessive multiple-murder special circumstances), 30 (alleged prosecutorial misconduct in challenging jurors), 31 (alleged prosecutorial misconduct during opening statement), 32 (alleged prosecutorial misconduct in introducing evidence), 33 (alleged prosecutorial misconduct in closing argument), 34 (denial of challenge for cause), 35 (denial of pretrial motions), 37 (alleged destruction of potentially exculpatory evidence), 39 (alleged prosecutorial misconduct during closing statement).

Justice Baxter would also deny all claims, including all

subclaims, as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780, 814, fn. 34.)

Justices Mosk and Brown would deny the petition solely on the merits.

S081267 In re Hector Juan Ayala
 on
 Habeas Corpus

The petition for a writ of habeas corpus is DENIED on the merits.

With respect to Claim I, petitioner fails to allege facts showing that he falls within the protection of the Vienna Convention on Consular Relations and Optional Protocols on Disputes. In addition, he fails to show prejudice. (Cf. *Breard v. Greene* (1998) 523 U.S. 731, 377.)

Orders were filed in the following matters denying petition for writ of habeas corpus:

S080386 - In re Eddie F. Baker, III on Habeas Corpus.

S081339 - In re Fred Stillman on Habeas Corpus.

S086502 - In re Thomas Winston Moore on Habeas Corpus.

S087502 - In re Willie C. Williams on Habeas Corpus.

S087511 - In re Lothar M. Preston on Habeas Corpus.

S087597 - In re David E. Palismo on Habeas Corpus.

S087598 - In re Jose Ray Rivera on Habeas Corpus.

S087599 - In re Ancil Jones on Habeas Corpus.

S087605 - In re Javier Mendez Velazquez a.k.a. Gilberto Benitez on Habeas Corpus.

- S087747 - In re William Craig Davis on Habeas Corpus.
- S087759 - In re Elwin Joseph Carrero on Habeas Corpus.
- S087780 - In re Jesus Gutierrez on Habeas Corpus.
- S087781 - In re Richard J. Walton on Habeas Corpus.
- S087804 - In re Curtis Harvey Merchant on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S087807 - In re Kenneth G. Harvey on Habeas Corpus.
- S087828 - In re Aaron Sonny Grice on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S087853 - In re Arthur Richard Perez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S087926 - In re Allan R. Eaton on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S087944 - In re Patrick Michael Pattererson on Habeas Corpus.
- S087963 - In re David Portlock on Habeas Corpus.
- S088015 - In re Reginald Leon Ellis on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S088030 - In re Juan Cifuentes on Habeas Corpus.
- S088040 - In re Joann Smith on Habeas Corpus.
- S088042 - In re Greg Candelaria on Habeas Corpus.

- S088054 - In re Maurice Simeon King on Habeas Corpus.
- S088058 - In re Dion Joyner on Habeas Corpus.
- S088068 - In re Arturo Gomez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088080 - In re George Dennis Rounds, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S088124 - In re Adam K. Gandy on Habeas Corpus.
- S088125 - In re Allan E. Serpa on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088131 - In re Javier Mendez Velasquez (a.k.a. Gilberto Benitez) on Habeas Corpus.
- S088132 - In re Larry Gray on Habeas Corpus.
- S088194 - In re Curtis Scott on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
Mosk, J., is of the opinion an order to show cause should issue.
- S088228 - In re John Michael Baptiste on Habeas Corpus.
- S088248 - In re Dennis Ross Harris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088251 - In re Carlos E. Valdivia on Habeas Corpus.
- S088254 - In re Brainard E. Thomas on Habeas Corpus.
- S088262 - In re Kirk Miller on Habeas Corpus.

- S088263 - In re Norwood Watson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088266 - In re Brian Snoke on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.) Mosk, J., is of the opinion an order to show cause should issue.
- S088268 - In re Armando Abreu on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088270 - In re George A. de Urioste on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088272 - In re David White on Habeas Corpus.
- S082876 - In re Keith A. Chambers on Habeas Corpus.
- S088278 - In re Mark Anthony Glass on Habeas Corpus.
- S088285 - In re Ray Anthony Johnson on Habeas Corpus.
- S088291 - In re Arturo Gonzalez Lozano on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S088295 - In re Gregory Wayne Williams on Habeas Corpus.
- S088299 - In re Andre Carr on Habeas Corpus.
- S088300 - In re Demond Mimms on Habeas Corpus. Petition for writ of habeas corpus is DENIED as moot. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S088302 - In re John M. Baptiste on Habeas Corpus.
- S088303 - In re Hank Aaron Day on Habeas Corpus.

- S088305 - In re William L. Stewart, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S088306 - In re Grateful Tran on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088307 - In re Hilario Norberto Torres on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088315 - In re Jose Maldonado Gonzales on Habeas Corpus.
- S088333 - In re Robert Baker on Habeas Corpus.
- S088353 - In re Clarence Davis on Habeas Corpus.
- S088354 - In re Nelson Eugene Richardson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *People v. Jackson* (1985) 37 Cal.3d 826.)
- S088356 - In re Mobassa Boyd on Habeas Corpus.
- S088357 - In re James D. Maciel on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S088359 - In re Clayton J. McNary on Habeas Corpus.
- S088360 - In re Marvin Newsome on Habeas Corpus.
- S088361 - In re Ming Ching Jin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088366 - In re Francisco Millan on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088378 - In re Manuel Corral on Habeas Corpus. Petition for writ of habeas corpus is DENIED as moot.

- S088379 - In re Ronald Brim on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S088382 - In re Eddie Perry on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S088389 - In re Michael Brooks on Habeas Corpus.
- S088394 - In re Albert Abilez Vieyra on Habeas Corpus.
- S088395 - In re Joseph R. Romero on Habeas Corpus.
- S088397 - In re Rodolfo Gonzalez on Habeas Corpus.
- S088404 - In re Jamel Jonathan Evans on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088405 - In re Jonathan Hugh Hutchinson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088406 - In re Enrico Chavez on Habeas Corpus.
- S088407 - In re Derrick Kevin Mosley on Habeas Corpus.
- S088408 - In re William C. Sylvester on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088411 - In re Kenneth W. Macon on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S088414 - In re Derrick Tatum on Habeas Corpus.
- S088420 - In re John Clint Draper on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088421 - In re An Van Mai on Habeas Corpus.

- S088422 - In re Guillermo Mena on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S088442 - In re Alvin Tyrone Moss on Habeas Corpus.
- S088445 - In re Richard Kleinhammer on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088448 - In re Albert Caraig on Habeas Corpus.
- S088450 - In re Michael A. Booker on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088452 - In re Michael Dewayne Baines on Habeas Corpus.
- S088453 - In re Eddie Stevenson on Habeas Corpus.
- S088456 - In re Joseph Cabrera on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088465 - In re Angel Anthony Chavez on Habeas Corpus.
- S088466 - In re Reginald Bailey on Habeas Corpus.
- S088467 - In re Willie Lee Booker on Habeas Corpus.
- S088469 - In re Charles Edward Key on Habeas Corpus.
- S088475 - In re Cuong Le on Habeas Corpus.
- S088477 - In re Teddy Jerome Young on Habeas Corpus.
- S088488 - In re Ramiro Rangel on Habeas Corpus.
- S088493 - In re Charles E. Henry on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S088495 - In re Darryl A. McCain on Habeas Corpus.
- S088500 - In re Clay Brown on Habeas Corpus.
- S088501 - In re John Sams on Habeas Corpus.
- S088515 - In re Earl W. Hamilton on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S088522 - In re Harry Darnell Law on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S088529 - In re Robert T. Conriquez on Habeas Corpus.
- S088530 - In re Kelly Harold Wilson on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S088532 - In re Anthony Tyrone Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S088537 - In re Jesse Washington on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088539 - In re Christopher Dunlap on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088543 - In re Janetta L. Leyva on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088586 - In re Dennis M. Hill on Habeas Corpus.

- S088557 - In re Jeffrey S. Harnden on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088560 - In re Herman L. Jones on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088564 - In re Jeffrey S. Harnden on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088566 - In re Jeffrey S. Harnden on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088567 - In re Akanni Kendalla on Habeas Corpus.
- S088592 - In re Anthony Weathington on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S088594 - In re Steven Ray Morris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S088596 - In re Vithea T. Yung on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088598 - In re Edward Suggs on Habeas Corpus.
- S088599 - In re Tommy C. Love on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S088600 - In re Lupe Gallardo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088602 - In re Robert Lee Robins on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088603 - In re Jose Ernesto Trejo on Habeas Corpus.
- S088605 - In re Keith Robert Lugo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

- S088607 - In re Dempsey Nolan on Habeas Corpus.
- S088609 - In re Daniel Amezcua Delgado on Habeas Corpus.
- S088613 - In re Vincent Marquez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088614 - In re Kenneth Eugene Cox on Habeas Corpus.
- S088616 - In re Frank Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088625 - In re Barron Hamm on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088629 - In re Eric Hall on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S088631 - In re Niles Davis Simpson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S088633 - In re Lester Anthony Fawkes on Habeas Corpus.
- S088665 - In re Richard Wright on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)
- S088666 - In re Joey Lance Hopkins on Habeas Corpus.
- S088675 - In re Brian Brainagkul on Habeas Corpus.
- S088678 - In re Jose Ismael Tirado on Habeas Corpus.
- S088680 - In re Thaddeus Eugene Smith on Habeas Corpus.
- S088681 - In re Wayne C. Perkins on Habeas Corpus.
- S088686 - In re Sean C. Colgan on Habeas Corpus.

- S088699 - In re Gary Joseph Rasp on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088703 - In re Richard Utley on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S088705 - In re Kennon E. Hamilton on Habeas Corpus.
- S088706 - In re Vincent Burks on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
Mosk, J., is of the opinion an order to show cause should issue.
- S088714 - In re Brian James Snook on Habeas Corpus.
- S088734 - In re Westley T. Fort on Habeas Corpus.
- S088735 - In re Mark A. Scott on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S088738 - In re Michael Anthony Wilson on Habeas Corpus.
- S088739 - In re John Arthur Salazar on Habeas Corpus.
- S088742 - In re Derrick Jesus Oden on Habeas Corpus.
- S088744 - In re Christina Marie Francis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S088746 - In re Jeffrey M. Daniels on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S088748 - In re Isaac Youngblood on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)

- S088749 - In re James Lawrence on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S088750 - In re Eugene Everett Welch on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S088755 - In re Triston Jay Amero on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S088763 - In re Ira Flynn Johnson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S088781 - In re Gary Dean Webb on Habeas Corpus.
- S088790 - In re Christopher Tyree Benton on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088794 - In re Dewey Steven Terry on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S088990 - In re Mark A. Scott on Habeas Corpus.
- S089017 - In re Albert Caraig on Habeas Corpus.
- S089025 - In re Anthony Tyrone Smith on Habeas Corpus.
- S089158 - In re David White on Habeas Corpus.
- S089215 - In re William L. Stewart, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S089341 - In re Armando Abreu on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)

- S089368 - In re Charles E. Henry on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S089464 - In re Michael Anthony Wilson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S089465 - In re Michael Anthony Wilson on Habeas Corpus.
- S089530 - In re Mark A. Scott on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S089971 - In re James D. Maciel on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S090051 - In re James D. Maciel on Habeas Corpus.
- S090190 - In re Jeffrey S. Harnden on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S090199 - In re James D. Maciel on Habeas Corpus.
-
- 1st Dist. People, Respondent
A083059 v.
Div. 4 Cynthia Anne Enderby, Appellant
S089379 Petition for review DENIED.
-
- 1st Dist. People, Respondent
A084500 v.
Div. 1 Sergio Martinez Ponce, Appellant
S090280 Petition for review DENIED.
-
- 1st Dist. People, Respondent
A084798 v.
Div. 4 Carl E. Leopold, Appellant
S089605 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. A085056 Div. 1 S090811	People, Respondent v. Jerome Jones, Appellant Petition for review DENIED.
1st Dist. A085627 Div. 3 S090495	People, Respondent v. Dennis Dwayne Barnes, Appellant Petition for review DENIED.
1st Dist. A086301 A090331 Div. 4 S090282	People, Respondent v. Angela Carmen Gonzalez, Appellant Petition for review DENIED.
1st Dist. A086467 Div. 1 S089841	People, Respondent v. Hector Manuel Valencia Quezada, Appellant Petition for review DENIED.
1st Dist. A086469 Div. 3 S090188	People, Respondent v. Charles David Parsons, Jr., Appellant Petition for review DENIED.
1st Dist. A086583 Div. 1 S089869	People, Respondent v. Xieng Khou, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
1st Dist. A086936 Div. 4 S090436	L. Gordon Jahnke et al., Plaintiff and Respondent v. Lee McGraw et al., Appellant Petition for review DENIED.
1st Dist. A087391 Div. 4 S090226	People, Respondent v. Peter Caputo, Appellant Petition for review DENIED.

1st Dist. In re Cynthia Anne Enderby
A089854 on
Div. 4 Habeas Corpus
S088761 Petition for review DENIED.

1st Dist. In re Adrian Mitchell
A091699 on
Div. 1 Habeas Corpus
S089974 Petition for review DENIED.

1st Dist. The Western Union Insurance Company et al., Petitioners
A091736 v.
Div. 1 Contra Costa County Superior Court, Respondent
S090526 The Re-Con Building Products, Inc., Real Party in Interest
Petition for review DENIED.

2nd Dist. People, Respondent
B104892 v.
Div. 3 Michael Stacy Fortson, Appellant
S065898 Petition for review DENIED.

2nd Dist. Keith Goffney et al., Appellants
B119732 v.
Div. 2 Family Savings and Loan Association, Respondent
S089776 Petition for review DENIED.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed May 31, 2000, which appears as modified at 81 Cal.App.4th 1175. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. People, Respondent
B123062 v.
Div. 3 Miguel Palomar Miranda, Appellant
S089912 Petition for review DENIED.

2nd Dist. People, Respondent
B123721 v.
Div. 3 Francisco Guillermo Juarez, Appellant
S090299 Petition for review DENIED.

2nd Dist. People, Respondent
B123927 v.
Div. 4 Leonardo Preciado Cisneros et al., Appellants
S089694 Petitions for review DENIED.

2nd Dist. People, Respondent
B125994 v.
Div. 3 Patrick Joseph Jackson, Appellant
S089029 Petition for review DENIED.

2nd Dist. People, Respondent
B127872 v.
Div. 3 Dale Sheldon Barnes, Appellant
S090165 Petition for review DENIED.

2nd Dist. People, Respondent
B128330 v.
Div. 3 Melvin Lamont Sherman, Appellant
S090284 Petition for review DENIED.

2nd Dist. People, Respondent
B128629 v.
Div. 3 William Randall Bridgeford, Appellant
S089796 Petition for review DENIED.

2nd Dist. Barbara Lindstrom, Appellant
B128724 v.
Div. 6 The Hertz Corporation, Respondent
S090054 Petition for review DENIED.

2nd Dist. People, Respondent
B129101 v.
Div. 4 Thurmond Thomas, Appellant
S090148 Petition for review DENIED.

2nd Dist. People, Respondent
B129279 v.
Div. 3 James Clarence Lawton, Appellant
S089227 Petition for review DENIED.

2nd Dist. People, Respondent
B129976 v.
Div. 7 Don I. Parthermore, Appellant
S090202 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B130237 v.
Div. 3 Gevorg Ovsepyan, Appellant
S090525 Petition for review DENIED.

2nd Dist. People, Respondent
B130975 v.
Div. 1 Marshall Abbage, Appellant
S089782 Petition for review DENIED.

2nd Dist. People, Respondent
B130996 v.
Div. 5 Roderick Craig Elder, Appellant
S090163 Petition for review DENIED.

2nd Dist. People, Respondent
B131254 v.
Div. 2 Charles Frederick Nicholson, Appellant
S090266 Petition for review DENIED.

2nd Dist. People, Respondent
B131861 v.
Div. 5 Dale Ray Jones, Appellant
S089639 Petition for review DENIED.

2nd Dist. Casey Stallings et al., Respondents
B131876 v.
Div. 6 Thrifty Oil Company, Appellant
S090307` Petition for review DENIED.

2nd Dist. People, Respondent
B132221 v.
S089446 Robert Hackworth, Jr., Appellant
Petition for review DENIED.

2nd Dist. People, Respondent
B132285 v.
Div. 3 Jesus Rafael Gomez, Appellant
S089375 Petition for review DENIED.

2nd Dist. People, Respondent
B132308 v.
Div. 2 Royce Houston, Appellant
S090127 Petition for review DENIED.

2nd Dist. People, Respondent
B132513 v.
Div. 3 Otto Rene Lopez, Appellant
S089254 Petition for review DENIED.

2nd Dist. People, Respondent
B132605 v.
Div. 6 Arthur Brazfield, Appellant
S089643 Petition for review DENIED.

2nd Dist. People, Respondent
B132773 v.
Div. 5 Bernard L. Smith, Appellant
S090416 Petition for review DENIED.

2nd Dist. Michael C. Schultz, Appellant
B133063 v.
Div. 5 Board of Dental Examiners of the State of California
S090103 Petition for review DENIED.
The request for an order directing partial publication of the
opinion is DENIED.

2nd Dist. People, Respondent
B133216 v.
Div. 5 Daniel Flores, Appellant
S090286 Petition for review DENIED.

2nd Dist. People, Respondent
B133312 v.
Div. 7 Raylonzo Roberts, Appellant
S090396 Petition for review DENIED.

2nd Dist. People, Respondent
B133338 v.
Div. 7 Mario Williams, Appellant
S090196 Petition for review DENIED.

2nd Dist. People, Respondent
B133539 v.
Div. 7 Jeffrey O. Swan, Appellant
S090175 Petition for review DENIED.

2nd Dist. People, Respondent
B133593 v.
Div. 2 Jamar Roylee Rogers, Appellant
S090260 Petition for review DENIED.

2nd Dist. People, Respondent
B133673 v.
Div. 6 Carl Jerome Lee, Appellant
S090314 Petition for review DENIED.

2nd Dist. People, Respondent
B133822 v.
Div. 1 Luis Lorenzo Vargas, Appellant
S090264 Petition for review DENIED.

2nd Dist. Los Angeles Metropolitan Transportation Authority, Petitioner
B134038 v.
Div. 7 Los Angeles County Superior Court, Respondent
S089707 Parsons-Dillingham Metro Rail Const. Manager Joint
Venture, etc. et al., Real Parties in Interest
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B134264 v.
Div. 4 Gary Benton, Appellant
S090316 Petition for review DENIED.

2nd Dist. In re John G., a Person Coming Under the Juvenile Court Law
B134573 -----

Div. 7 People, Respondent

S090235

v.

John G., Appellant

Petition for review DENIED.

2nd Dist. People, Respondent

B134619

v.

Div. 5 Denis O. Miller, Appellant

S090247

Petition for review DENIED.

2nd Dist. In re Eduardo D., a Person Coming Under the Juvenile Court Law
B134643 -----

Div. 5 People, Respondent

S089467

v.

Eduardo D., Appellant

Petition for review DENIED.

The request for an order directing depublication of the opinion is
DENIED.

2nd Dist. In re Steven D., a Person Coming Under the Juvenile Court Law
B136418 -----

Div. 5 People, Respondent

S090257

v.

Steven D., Appellant

Petition for review DENIED.

2nd Dist. People, Respondent

B137491

v.

Div. 1 Robert Crosby, Appellant

S090298

Petition for review DENIED.

2nd Dist. In re Gabriel Saul Rodriguez
B138959 on

Div. 5 Habeas Corpus

S089345

Petition for review DENIED.

The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed May 15, 2000, which appears at 80 Cal.App.4th 907. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. In re Randall L. Deasee
B141839 on
Div. 6 Habeas Corpus
S090102 Petition for review DENIED.

2nd Dist. State Farm Fire and Casualty Company, Petitioner
B141933 v.
Div. 3 Los Angeles County Superior Court, Respondent
S089709 Oakhurst Homeowners Association Incorporated et al.,
Real Parties in Interest
Petition for review DENIED.

2nd Dist. William Pritchett, Petitioner
B142283 v.
Div. 6 Justin Smith, Respondent
S090191 Petition for review DENIED.

2nd Dist. Douglas F. Galanter et al., Petitioners
B142362 v.
Div. 2 Los Angeles County Superior Court, Respondent
S089951 Brentwood/Ima, Inc., Real Party in Interest
Petition for review DENIED.

2nd Dist. Steven Derrick Irvin, Petitioner
B142403 v.
Div. 1 Los Angeles County Superior Court, Respondent
S089778 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. Mark B. Douglas, Petitioner
B142482 v.
Div. 2 Los Angeles County Superior Court, Respondent
S090265 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. Suzanne Malek, Petitioner
B142654 v.
Div. 3 Los Angeles County Superior Court, Respondent
S090789 Blue Cross of California, Real Party in Interest
Application for stay and petition for review DENIED.

2nd Dist. Cedrick Wayne Hoof, Petitioner
B142684 v.
Div. 1 Los Angeles County Superior Court, Respondent
S090205 People, Real Party in Interest
Petition for review DENIED.

3rd Dist. People, Respondent
C030420 v.
S089882 Ronald Lamar Harris, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C030440 v.
S090227 Bruce Darnell Drury, Appellant
Petition for review DENIED.

3rd Dist. Western Mutual Insurance, Respondent
C031156 v.
S090228 Curtis Adams, Appellant
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C031224 v.
S089381 Rodney Guy Harmon, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C031308 v.
S089593 Larry D., Appellant

In re Larry D., a Person Coming Under the Juvenile Court Law
Petition for review DENIED.

3rd Dist. People, Respondent
C031833 v.
S090400 Terrance Joel Marcelja, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C031991 v.
S090279 Melvin W. Anderson, Appellant
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C032100 v.
S090296 David Gene Brinsfield, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C033001 v.
S090100 Rosendo Figueroa-Quiroz, Appellant
Petition for review DENIED.

3rd Dist. People, Petitioner
C035081 v.
S088855 Yuba County Superior Court, Respondent
Jefferey Aaron Erickson, Real Party in Interest
Petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.

4th Dist. Diane Gober, Respondent
D031670 v.
Div. 1 Ralphs Grocery Company, Appellant
S089831 Petition for review DENIED.

4th Dist. People, Respondent
D031767 v.
Div. 1 John Alexander Brown, Appellant
S090523 Petition for review DENIED.

4th Dist. People, Respondent
D032861 v.
Div. 1 Daniel Lewis Moran, Appellant
S090278 Petition for review DENIED.

4th Dist. D033068 Div. 1 S090208	People, Respondent v. Paul Boeos Meranian, Appellant Petition for review DENIED.
4th Dist. D032187 Div. 1 S090521	Shawn K. Bolouki, Appellant v. Regents of the University of California, Respondent Petition for review DENIED.
4th Dist. D033115 Div. 1 S090217	In re Hawkes Family Trust ----- Linda Hawkes, Respondent v. Ervin Sommer et al., Appellants Petition for review DENIED.
4th Dist. D033140 Div. 1 S090197	People, Respondent v. Chris Eddie Greene, Appellant Petition for review DENIED.
4th Dist. D035859 Div. 1 S090252	In re William Barnes on Habeas Corpus Petition for review DENIED.
4th Dist. E023695 Div. 2 S089303	People, Respondent v. Tomas Martinez, Appellant Petition for review DENIED.
4th Dist. E023706 Div. 2 S089337	People, Respondent v. Kenneth William Sable, Appellant Petition for review DENIED.
4th Dist. E023825 Div. 2 S090254	Teresa L. Carter, Appellant v. County of Riverside et al., Respondents Petition for review DENIED.

4th Dist. E024979 Div. 2 S089910	People, Respondent v. Edward King, Appellant Petition for review DENIED.
4th Dist. E025028 Div. 2 S089526	People, Respondent v. Woodrow Wilson Bush, Jr., Appellant Petition for review DENIED.
4th Dist. E025206 Div. 2 S089622	People, Respondent v. Robert Dominic Espinoza, Appellant Petition for review DENIED.
4th Dist. E025744 Div. 2 S090214	People, Respondent v. Henry C. Smith, Appellant Petition for review DENIED.
4th Dist. E025915 Div. 2 S090258	George Clifford Baker, Respondent v. Ed Snyder, as Acting Director, etc. Appellant Petition for review DENIED.
4th Dist. E027325 Div. 2 S089354	Feliciano Cobarruvias, Petitioner v. Riverside County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. E027360 Div. 2 S089365	Thomas Patrick Morris, Petitioner v. Riverside County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. E027458 Div. 2 S089867	Feliciano Cobaruvias, Petitioner v. Riverside County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.

4th Dist. People, Respondent
G024573 v.
Div. 3 Adrian Israel Salazar, Appellant
S090403 Petition for review DENIED.

4th Dist. People, Respondent
G025043 v.
G025045 Jon William Downey, Jr., Appellant
G025046 Petition for review DENIED.
Div. 3
S090236

4th Dist. In re Cliffton B., a Person Coming Under the Juvenile Court Law
G025902 -----
Div. 3 Orange County Social Services Agency, Respondent
S090368 v.
Carl B. et al., Appellants
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.
The request for an order directing depublication of the opinion is
DENIED.

4th Dist. People, Respondent
G025906 v.
Div. 3 Vincent Cornelius Wiggins, Appellant
S090116 Petition for review DENIED.

4th Dist. In re Anthony F., a Person Coming Under the Juvenile Court Law
G026377 -----
Div. 3 Orange County Social Services Agency, Respondent
S090207 v.
Toni F., Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F029997 v.
S089552 Gary Dwayne Brasuell, Appellant
Petition for review DENIED.

5th Dist. F030811 S090488	People, Respondent v. Charles Edward Oliver, Appellant Petition for review DENIED.
5th Dist. F031241 S090297	People, Respondent v. Rex Alan Marchman, Appellant Petition for review DENIED.
5th Dist. F031941 S090283	People, Respondent v. Ricky Vernell Dunn, Appellant Petition for review DENIED.
5th Dist. F032074 S090154	People, Respondent v. Barbara Lampshire et al., Appellants Petition for review DENIED.
5th Dist. F032422 S093065	People, Respondent v. Augustin Perez Hernandez, Appellant Petition for review DENIED.
5th Dist. F032524 S090198	People, Respondent v. Kamsoth Suon, Appellant Petition for review DENIED.
5th Dist. F032840 S089352	People, Appellant v. Joseph Michael Veyna, Respondent Petition for review DENIED.
5th Dist. F033182 S090309	People, Respondent v. Sammy Theo Dorosey, Appellant Petition for review DENIED.

5th Dist. Herbert Ronald Figura, Petitioner
F035935 v.
S090178 Merced County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

6th Dist. People, Respondent
H019226 v.
S090287 Michael Dallas James, Appellant
Petition for review DENIED.

6th Dist. People, Respondent
H019516 v.
S090290 Stephen Smith, Appellant
Petition for review DENIED.

6th Dist. People, Respondent
H019756 v.
S090402 Alphonso Bell, Appellant
Petition for review DENIED.

6th Dist. Harold W. Griffith, Appellant
H020257 v.
S090513 City of Monterey et al., Respondents
Petition for review DENIED.

6th Dist. In re Gabrielle M., a Person Coming Under the Juvenile Court Law
H020680 -----
S090485 Santa Clara County Department. of Family and Children's Services,
Respondent
v.
Tracy M., Appellant
Petition for review DENIED.

6th Dist. People, Respondent
H021063 v.
S090041 John Romayor, Appellant
Petition for review DENIED.

6th Dist. Alfred Gracia, Petitioner
H021562 v.
S089076 Santa Clara County Superior Court, Appellant
People, Real Party in Interest
Petition for review DENIED.

6th Dist. Scott Company of California, Petitioner
H021656 v.
S090522 Santa Clara County Superior Court, Respondent
Redevelopment Agency of the City of San Jose et al.,
Real Parties in Interest
Application for stay and petition for review DENIED.

6th Dist. Scott Co. of California, Petitioner
H021737 v.
S090565 Santa Clara County Superior Court, Respondent
Redevelopment Agency of the City of San Jose et al.,
Real Parties in Interest
Application for stay and petition for review DENIED.

1st Dist. Matthew A. Laurence, Appellant
A080941 v.
Div. 3 Pacific Gas and Electric Company et al., Respondents
S090068 The request for an order directing publication of the opinion is
DENIED.

1st Dist. Edward Andeson et al., Appellants
A085615 v.
Div. 1 State of California et al., Respondents
S090243 The request for an order directing publication of the opinion is
DENIED.

1st Dist. Betty Karris, Appellant
A088578 v.
A089372 Jamil Abu-Hamdeh, Respondent
Div. 3 The request for an order directing publication of the opinion
S090440 is DENIED.

4th Dist. Ergun Bakall, Appellant
D031379 v.
Div. 1 San Diego County Water Authority, Respondent
S088615 The request for an order directing publication of the opinion is
DENIED.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A090051/S090036 In re Melvin Jackson on Habeas Corpus – October 8, 2000.
A090700/S090244 In re Howard Marcus on Habeas Corpus – October 8, 2000.
B142353/S089773 In re George A. Casillas on Habeas Corpus- October 8,
2000.
C035856/S089826 In re Mark Baker on Habeas Corpus – October 11, 2000.
D034236/S089963 People v. Richard Allen Mitchell – October 3, 2000.
D035151/S089929 In re Demond Kadura Mitchell on Habeas Corpus –
October 3, 2000.
F032346/S089731 Louis Gene Harris v. People – September 28, 2000. This
order is entered nunc pro tunc as of August 29, 2000, due to
clerical error.
H021349/S089740 In re Ron Adams on Habeas Corpus – October 8, 2000.

S085942 People, Appellant
 v.
 Philip R. King, Respondent
 On application of appellant and good cause appearing, it is
 ordered that the time to serve and file the reply brief on the merits is
 extended to and including September 23, 2000.

S071258 Alan O. Aas et al., Petitioners

v.

San Diego County Superior Court, Respondent

The William Lyon Company et al., Real Parties in Interest

The request of counsel for petitioners in the above-referenced cause to allow two counsel to argue on behalf of petitioners at oral argument is hereby granted.

S071258 Alan O. Aas et al., Petitioners

v.

San Diego County Superior Court, Respondent

The William Lyon Company et al., Real Parties in Interest

The request of petitioners to allocate 15 minutes of allotted time for oral argument each to petitioner Alan O. Aas and to petitioner Provencal Community Association is hereby granted.

S071258 Alan O. Aas et al., Petitioners

v.

San Diego County Superior Court, Respondent

The William Lyon Company et al., Real Parties in Interest

The request of counsel for real parties in interest in the above-referenced cause to allow two counsel to argue on behalf of real parties in interest at oral argument is hereby granted.

S071258 Alan O. Aas et al., Petitioners

v.

San Diego County Superior Court, Respondent

The William Lyon Company et al., Real Parties in Interest

The request of real parties in interest to allocate to real party in interest William Lyon Company 20 minutes of real parties' in interest 30-minute allotted time for oral argument is granted.

The remaining 10 minutes of oral argument time is allocated to real party in interest Branco Corporation.

S080318 Hi-Voltage Wire Works Incorporated et al., Respondents

v.

City of San Jose et al., Appellants

The request of counsel for appellants in the above-referenced cause to allow two counsel to argue on behalf of appellants at oral argument is hereby granted.

S080318 Hi-Voltage Wire Works Incorporated et al., Respondents

v.

City of San Jose et al., Appellants

The request of appellants to allocate to amicus curiae Attorney General Bill Lockyer 10 minutes of appellants' 30-minute allotted time for oral argument is granted.

S014394 People, Respondent

v.

Fermin Rodriguez Ledesma, Appellant

The application to file an oversize appellant's opening brief of 1,307 pages is denied. The brief shall be returned to counsel for revision and resubmission of a new brief. (Cal. Rules of Court, rule 18.) Good cause appearing for the filing of an oversize brief in this matter based upon the number and complexity of issues raised, defendant shall have 120 days from the date of this order to serve and file a new brief not to exceed 600 pages. (*Id.*, rule 37, subd. (c).)

S053228 People, Respondent

v.

Andre Stephen Alexander, Appellant

The request for leave to withdraw by appointed counsel Thomas Kallay, filed August 14, 2000, is denied. (See Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 2 ["Withdrawal of counsel"].)

S063274 In re Ralph International Thomas

on

Habeas Corpus

The "Motion for Stay of Execution," filed August 1, 1997, is denied without prejudice to its renewal upon the setting of an execution date in this matter.

2nd Dist. People

B136798

v.

Dale Godown

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Two.

2nd Dist. People
B137980 v.
Egbert Moore

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division Three.

Bar In the Matter of the Application of the Committee of Bar Examiners
Misc. of the State of California for Admission of Attorneys
4186

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S090057 In the Matter of the Suspension of Attorneys
Pursuant to Rule 962 California Rules of Court

Having been provided proof of compliance pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the suspension of **John Royall Read III, #51388**, pursuant to our order filed on July 21, 2000, is hereby terminated.

This order is final forthwith.

S067249 In re **Robert Raphael Catalano** on Discipline

It is ordered that **Robert Raphael Catalano, State Bar No. 37408**, be suspended from the practice of law for five years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice and present learning and ability in the general law in accordance with standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; that execution of the five-year suspension be stayed, and that Catalano be placed on probation for five years on conditions including that he be actually suspended from the practice of law for three years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice and present learning and ability in the general law in accordance with standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional

Misconduct. In addition, Catalano is ordered to comply with the conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed on March 30, 2000. Catalano is also ordered to take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Catalano is further ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S068625

In re **Richard M. Cantillon** on Discipline

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above-entitled matter is lifted, and **Richard M. Cantillon, State Bar No. 27479**, shall be actually suspended from the practice of law for three years and until he makes specified restitution and provides satisfactory proof thereof to the State Bar Probation Unit; and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension shall be given for the period of involuntary inactive enrollment which commenced on June 5, 2000 (Business & Professions Code section 6007(d)(3)). It is ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S084934 In re **Philip Leonard Stimac** on Discipline

The clerk is directed to strike the filing of the requests filed July 27, 2000, for want of proper service. The court has nonetheless considered their merits and would have denied the requests had they been properly served and filed.

S089097 In re **Franklin Delano Moen** on Discipline

It is ordered that **Franklin Delano Moen, State Bar No. 160537**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed on May 17, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S089185 In re **Carlos Miguel Alcala** on Discipline

It is ordered that **Carlos Miguel Alcala, State Bar No. 87094**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for 18 months subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 10, 2000. The period of probation imposed in this matter shall be consecutive to the probation imposed in Case No. S070903 (State Bar Case No(s). 96-O-02170 and 97-O-13176). It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S089187 In re **Frank D. Winston** on Discipline

It is ordered that **Frank D. Winston, State Bar No. 28599**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed on May 17, 2000. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S089190 In re **Richard Arnold Rocha** on Discipline

It is hereby ordered that **Richard Arnold Rocha, State Bar No. 49728**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. **Richard Arnold Rocha** is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S089192 In re **Timothy L. Davis** on Discipline

It is ordered that **Timothy L. Davis, State Bar No. 141612**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for two years and until he complies with standard 1.4(c)(ii). Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving

Stipulation filed on April 25, 2000. Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on June 24, 1999. (*In re Young* (1989) 49 Cal.3d 257, 270.) It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S089193 In re **Alma Graciela Guerra** on Discipline

It is ordered that **Alma Graciela Guerra, State Bar No. 113353**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation with conditions for two years and until she completes restitution as recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on May 9, 2000. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2001, 2002 and 2003. (Bus. & Prof. Code section 6086.10.)

S089194 In re **Morris Brown Kemper** on Discipline

It is ordered that **Morris Brown Kemper, State Bar No. 152415**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for one year and until he makes restitution to Khun Ming and/or Moeuk Hun (or the Client Security Fund, if appropriate) in the amount of \$3,000.00, plus 10% interest per annum from January 1, 1997; to Mang “Stephanie” Saechao (or the Client Security Fund, if appropriate) in the amount of \$11,250.00, plus 10% interest per annum from March 1, 1997, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. If he is actually suspended

for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on April 11, 2000. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S089195 In re **Robert Alton Herndon** on Discipline

It is hereby ordered that **Robert Alton Herndon, State Bar No. 76757**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S089211 In re **Kenneth David Buckwalter** on Discipline

It is ordered that **Kenneth David Buckwalter, State Bar No. 50213**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be actually suspended from the practice of law for six months and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California as recommended by the Hearing Department of the State Bar Court in its decision filed on February 29, 2000, as modified by its order filed April 18, 2000. Respondent ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a

condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S089212 In re **Donald Barnett** on Discipline

It is ordered that **Donald Barnett, State Bar No. 33012**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 60 days. **Donald Barnett** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed April 25, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S089244 In re **John Gerard Hedderman** on Discipline

It is ordered that **John Gerard Hedderman, State Bar No. 134109**, be suspended from the practice of law for one year and until he makes restitution to Roberto Viramontes (or the Client Security Fund, if appropriate) in the amount of \$1,000.00, plus 10% interest per annum from January 1, 1995; to Orange County Superior Court in the amount of \$750.00; to Patricia Monroy (or the Client Security

Fund, if appropriate) in the amount of \$1,500.00, plus 10% interest per annum from December 1, 1996, payable as specified in the Stipulation Re Facts, Conclusions of Law and Disposition filed April 19, 2000, and furnishes satisfactory proof thereof as specified in the stipulation to the Probation Unit, State Bar Office of the Chief Trial Counsel; that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed April 19, 2000, as modified by its order filed May 5, 2000 and May 17, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2001 and 2002. (Bus. & Prof. Code section 6086.10.)

S089246 In re **Geraldine D. Green** on Discipline

It is ordered that **Geraldine D. Green, State Bar No. 50282**, be suspended from the practice of law for three months, said suspension to run consecutive to the actual suspension imposed in S083542 (95-O-14089; 95-O-18456), and continue until she provides proof to the satisfaction of the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, and until she pays the sanctions ordered by the U.S. District Court in connection with the Estate of Gianna Blue identified herein, and that she be placed on probation for a period of five years, to run concurrent with her probationary period in S083542 (95-O-14089; 95-O-18456). Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with section 6140.7.

S089248 In re **Alan Craig Bail** on Discipline

It is ordered that **Alan Craig Bail, State Bar No. 88955**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving

Stipulation filed on May 11, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third thereof shall be added to and become part of the membership fees for calendar years 2002, 2003 and 2004, respectively. (Bus. & Prof. Code section 6086.10.)

S089249 In re **Harold Vincent Sullivan, II** on Discipline

It is ordered that **Harold Vincent Sullivan, II, State Bar No. 39889**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed April 7, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S089323 In re **Murry Sturner** on Discipline

It is ordered that **Murry Sturner, State Bar No. 42395**, be suspended from the practice of law for five years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 18 months and until he makes restitution to the Estate of Hetta Werner (or the Client Security Fund, if appropriate) in the amount of \$12,501.00, plus 10% interest per annum from May 22, 1997, and provides proof thereof to the Probation Unit, Office of the Chief Trial Counsel. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 15, 2000. If Respondent is actually suspended for two years or more, he shall remain actually suspended until he complies with standard 1.4(c)(ii). It is also ordered that respondent take and pass the Multistate

Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-half thereof shall be added to and become part of the membership fees for the calendar years 2001 and 2002, respectively. (Bus. & Prof. Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S090634 In the Matter of the Resignation of **Morton Ben Goldstein**
A Member of the State Bar of California

The voluntary resignation of **Morton Ben Goldstein, State Bar No. 45242**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S090920 In the Matter of the Resignation of **Leon H. Brush**
A Member of the State Bar of California

The voluntary resignation of **Leon H. Brush, State Bar No. 117411**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S091009 In the Matter of the Resignation of **Simona Rosales Bakker**
A Member of the State Bar of California

The voluntary resignation of **Simona Rosales Bakker, State Bar No. 98225**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against her should she hereafter seek

reinstatement. It is ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S091012 In the Matter of the Resignation of **William Harold Thomas**
A Member of the State Bar of California

The voluntary resignation of **William Harold Thomas, State Bar No. 118369**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

**SUPREME COURT CALENDAR
LOS ANGELES SESSION
OCTOBER 11, 2000**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on October 11, 2000.

WEDNESDAY, OCTOBER 11, 2000 - 9:00 A.M.

S077396	East Bay Asian Local Development Corporation v. State of California
S071945	NPI Medical Group v. State Compensation Insurance Fund
S070377	Barner v. Leeds

2:00 P.M.

S080078	People v. Tindall
S082645	Apartment Association of Los Angeles County v. City of Los Angeles

George
Chief Justice

If exhibits are to be transmitted to this Court, counsel must comply with Rule 10(d), California Rules of Court.